

REMARKS

Claims 1-19 were present for examination and claims 20-25 are being added by the present amendment.

Claim 1 and claim 10 stand rejected under 35 U.S.C. 112 first paragraph because the written description does not sufficiently convey the meaning of the word "private" as used in the claims. The word "private" has been deleted from the claims as suggested by the Examiner. The claims have been amended to include variations of the word "secure" to convey that certain communications are conducted to avoid an unauthorized third party from gaining access to their content. The concept of secured communication, security codes and encryption is described in the application from page 8, line 21 through page 9, line 9. Additionally, definitions for the terms "security code" and "encryption" from the Newton's Telecom Dictionary have been provided herewith.

All claims stand rejected under 35 U.S.C. 103 as unpatentable over U.S. Patent Publication US2002/0002443 to AMES et al. in combination with other references.

Claims 1, 10 and 16, the independent claims in the application, have all been amended to include that wireless communication between a diagnostic unit of the security gate system and a remote unit are carried out in a secure format. No such secure transmission is suggested by AMES et al. alone or in combination with the other references. AMES et al. does discuss in paragraphs 74 and 75 and show in Figs. 9A-D the specific format for data exchange. None of the discussion or figures mentions or suggests in any way that the content of the exchanged data includes security attributes which are intended to avoid unauthorized third parties from obtaining access to the data. None of the other references provide any such suggestion either. Claims 1, 10 and 16 are not obvious in view of the combined references which do not suggest all claim limitations. In view of this, claims 1, 10 and 16 are asserted to be allowable as are all claims 2-9, 11-15 and 17-25 which depend therefrom.

In addition newly added claims 20, 22 and 24, all recite the inclusion of security codes in the wireless communication. The security codes are codes included in transmission to protect information from unauthorized use as described in the application and defined by Newton's

Application No. 10/027,600
Reply to Office Action of December 17, 20024

Attorney Docket No. 79475

Dictionary. This limitation is not suggested by any combination of the references and for this, further reason, claims 20, 22 and 24 are asserted to be allowable.

Claims 21, 23 and 25 all recite that security is achieved by encrypting the signals transmitted. Encryption of signals is described in the application and defined in Newton's Dictionary as a manner of sending information so that third parties cannot read it. No combination of the references discloses or suggests encryption of wireless communication and for this further reason, claims 21, 23 and 25 are asserted to be allowable.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

By Kenneth H. Samples
Kenneth H. Samples
Registration No.: 25,747

Date: June 17, 2005

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007